

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GUARDIAN INDUSTRIES CORP.,

Plaintiff,

v.

DELL, INC.; GATEWAY, INC.;
HEWLETT-PACKARD COMPANY;
ACER INC.; ACER AMERICA CORPORATION;
AOC INTERNATIONAL; TATUNG COMPANY;
TATUNG COMPANY OF AMERICA, INC.;
COMPAL ELECTRONICS, INC.;
LITE-ON TECHNOLOGY CORPORATION;
LITE-ON, INC. a/k/a LITEON TRADING USA, INC.;
MAG TECHNOLOGY COMPANY, LTD.;
MAG TECHNOLOGY USA, INC.;
PROVIEW INTERNATIONAL HOLDINGS, LTD.;
PROVIEW TECHNOLOGY, INC.; and
PROVIEW ELECTRONICS COMPANY, LTD.,
Defendants.

C.A. No.: 05-27-SLR

Jury Trial Demanded

VOLUNTARY DISMISSAL OF AOC INTERNATIONAL WITHOUT PREJUDICE

WHEREAS, defendant AOC International has not filed an appearance in this action and has not served plaintiff Guardian Industries Corp. with an Answer to the Complaint or to the Amended Complaint; and

WHEREAS plaintiff Guardian Industries Corp. requests that this Court dismiss AOC International from this action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1) and subject to the terms of this Order,

NOW, THEREFORE, it is ordered as follows:

1. The claims by Guardian Industries Corp. against AOC International are hereby dismissed without prejudice with respect to AOC International.

2. Each party shall bear its own costs and attorneys fees attributable to the prosecution and defense of this action against AOC International.

Dated: August 17, 2006

By /s/ Richard K. Herrmann
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SO ORDERED this _____ day of _____, 2006.

Judge Sue L. Robinson

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of August, 2006, I electronically filed the foregoing document, **VOLUNTARY DISMISSAL OF AOC INTERNATIONAL WITHOUT PREJUDICE**, with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

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Additionally, I hereby certify that on the 17th day of August, 2006, the foregoing document was served via email on the following non-registered participants:

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